



**MONTANA STATE HOSPITAL  
POLICY AND PROCEDURE  
DISCHARGE FROM HOSPITAL**

**Effective Date:** August 22, 2006

**Policy #:** AD-02

**Page 1 of 5**

**I. PURPOSE:** To establish procedures for the release of patients from the Hospital and the termination of a legal commitment to the Hospital.

**II. POLICY:**

A. The release of a patient from Montana State Hospital is a multi-disciplinary treatment team decision. This decision is preceded by discussion and input from all involved parties, including the Montana State Hospital treatment team, the patient, family/significant others, and community treatment entities regarding clinical appropriateness of the release. The decision to discharge will be based on three general factors:

- Whether the individual is dangerous to self or others;
- Whether the individual can adequately care for basic needs;
- Availability of necessary services in the community

Discharge may also occur upon receipt of an order from a district court or a county attorney notifies MSH that involuntary commitment proceedings will be discontinued.

B. Montana State Hospital will make every effort to ensure that patients are referred to appropriate community aftercare services upon discharge. MSH staff will work closely with the patient, the patient's family and significant others, and appropriate community agencies to provide for continuity of care and to meet statutory obligations specified in state law.

C. The lack of a preferred community placement may not in itself be a reason for continued involuntary hospitalization of a patient who no longer requires inpatient psychiatric hospitalization. When aftercare placements preferred by patients or recommended by MSH staff are not available, arrangements may be made for an alternative that is not likely to place the patient or the public at immediate risk.

D. Patients on *unauthorized leave* status may not be discharged from their commitment status until either expiration of the commitment, or the Hospital receives verification that the patient is safe and receiving adequate aftercare services.

**III. DEFINITIONS:**

A. Conditional Release -- A release from the Hospital with certain conditions established for the patient, which if violated, may result in the patient's return to MSH under the

original commitment. Conditional release requirements for patients on civil commitments are established by state law under 53-21-195 through 197, M.C.A. Conditional release for patients on criminal commitments are established in 46-14-303 and 304, M.C.A.

- B. Discharge – The termination of an admission/commitment to Montana State Hospital that ends the provision of treatment and other legal obligation of the Hospital toward the patient.
- C. Discharge pending placement – The termination of active hospital treatment, with the patient remaining in a facility on the Montana State Hospital campus and receiving necessary support services pending final arrangements for a community placement.
- D. Home Visit – Temporary leave from the Hospital for the purpose of an extended visit with family or at a potential aftercare placement. Home visits may be revoked resulting in the patient's return to the Hospital and reinstatement of their previous commitment status.
- E. Pre-placement Visit -- A Pre-placement Visit may be used to test a patient's readiness for permanent release to a rest home, convalescent center, group home, foster home, or other less restrictive alternative placement. Pre-placement visits may be revoked resulting in the patient's return to the Hospital and reinstatement of their previous commitment status. Pre-placement visits for patients on criminal commitments require appropriate authorization from the committing court, the Hospital's Forensic Review Board, and the DPHHS Director.
- F. Temporary Court Custody (TCC) -- The temporary release of a patient as required for their participation in legal proceedings. This release may be followed by a discharge if a court determines that the person will not be returning to the Hospital.

#### IV. RESPONSIBILITIES:

- A. Social Work Staff – ordinarily have primary responsibility for development of discharge plans and making arrangements with community agencies, family members, district courts and others involved with the patient.
- B. Social Work Discipline Chief – provide supervision, consultation and be a resource person for social workers and treatment teams in the area of discharge planning and assist with difficult discharge issues.
- C. Prescribing Professional – A physician or other professional with prescriptive authority authorized by state law and Hospital policy to give orders for patient care and treatment.

**V. PROCEDURE:**

- A. Discharge of a patient will be indicated by the entry of an order from the prescribing professional into the patient's clinical record.
- B. Appropriate and required information concerning patient discharges will be provided to District Courts, county attorneys, and aftercare providers in a timely and expedient manner.

Required notification:

- 1. Notice must be given to the original committing court and county attorney at least five days prior to the discharge (53-21-181, M.C.A.).
  - 2. MSH is required by law to send written notification to the Arson Bureau of the Department of Justice whenever a person convicted of arson, or acquitted of arson on the ground of mental disease or defect, is separated from MSH. The written notification must disclose: (1) Name of the patient; (2) Where the patient is, or will be, located upon release from MSH; and (3) The date of discharge or dates of pre-placement/home visit. (Attachment A).
  - 3. Pursuant to Montana Statute (44-2-601), a patient who escapes or is otherwise released and was sent to MSH under Title 46, Chapter 14, MSH shall notify:
    - a. the sheriff or other law enforcement officials in the county in which the offense occurred;
    - b. the sheriff or other law enforcement officials in the county or counties, if known, in which a victim or the victims of the offense reside at the time of the escape or release;
    - c. the sheriff or other law enforcement officials in the county, if known, in which the person intends to reside upon leaving confinement;
    - d. the sheriff or other law enforcement officials in the county in which the jail, prison, hospital, mental health facility, or other institution from which the person escaped or was released is located; and
    - e. a court that has requested that it be notified in the event of a release or escape of the person.
- C. Medications supplied to a patient upon release from MSH:
- 1. Ordinarily, medications will not be provided directly by the Hospital upon release or discharge. Physicians may write prescriptions to be filled as ordered.

2. MSH will assist patients in obtaining necessary prescription medications following discharge by assisting the patient with enrollment in Medicaid or other public assistance programs, or indigent drug programs sponsored by pharmaceutical companies. Vouchers, coupons, or sample pharmaceuticals may be provided

D. Clothing and personal items:

1. Personal property is to be returned to the patient at the time of discharge or other arrangements for its dispersal are to be made in advance.
2. A patient may not be discharged or conditionally released without suitable clothing appropriate for the season (53-21-187, M.C.A.).

E. Transportation

1. As part of release plan implementation, the social worker will make arrangements for the patient's transportation to his/her destination upon release. Whenever possible, family members or community resources will be used. When other options are not available, MSH staff may provide necessary transportation.
2. The Hospital may purchase tickets for public transportation for patients who lack other sources for funds. The Hospital may also escort patients using public transportation when determined to be necessary by the prescribing professional.
3. The committing court or county is ordinarily responsible for transportation of patients for legal proceedings.
4. MSH is responsible for providing transportation for patients transferred or discharged to other inpatient healthcare facilities such as hospitals and nursing homes, including Montana Mental Health Nursing Care Center.
5. MSH is responsible for transportation of persons being transferred or discharged to a facility in another state under provisions of the Interstate Mental Health Compact Transfer.
6. Persons transferred to a Veterans Facility may be transported by MSH staff with reimbursement provided by the Veterans Administration, although MSH may be reimbursed for the cost of transportation.
7. Transportation for patients returning to a correctional facility such as Montana State Prison or Montana Women's Prison will ordinarily be transferred by staff from that facility unless other arrangements are made.

## Montana State Hospital Policy and Procedure

### DISCHARGE FROM HOSPITAL

Page 5 of 5

8. If an air flight is determined to be the most appropriate method of transportation, the party responsible to pay such costs must be identified.

**VI. REFERENCES:** 53-21-180 through 187, M.C.A.

**VII. COLLABORATED WITH:** Hospital Administrator, Medical Director.

**VIII. RESCISSIONS:** #AD-02, *Discharge Policy* dated September 8, 2003; #AD-02, *Discharge Policy* dated May 15, 2001; #AD-02, *Discharge Policy* dated February 14, 2000; HOPP #13-01d.031379, *Discharge Policy*, dated November 1978

**IX. DISTRIBUTION:** All hospital policy manuals.

**X. REVIEW AND REISSUE DATE:** August 2009

**XI FOLLOW-UP RESPONSIBILITY:** Social Work Discipline Chief

**XII. ATTACHMENTS:**

A. [Notice to Fire Marshall Bureau, Patient Release from Supervision Notification](#)

\_\_\_\_\_/\_\_\_\_/\_\_\_\_  
Ed Amberg  
Hospital Administrator

Date

\_\_\_\_\_/\_\_\_\_/\_\_\_\_  
Thomas Gray, M.D.  
Medical Director

Date

NOTICE TO FIRE MARSHALL BUREAU

PATIENT RELEASE FROM SUPERVISION NOTIFICATION

Notice to Fire Marshal Bureau  
Department of Justice  
Helena, Montana 59620

Please be advised that \_\_\_\_\_ Name \_\_\_\_\_, who was admitted to Montana  
State Hospital on \_\_\_\_\_ Date \_\_\_\_\_ after having committed the Crime of Arson  
in \_\_\_\_\_ Name of County or City \_\_\_\_\_ will be released from the hospital on \_\_\_\_\_ Date \_\_\_\_\_.

Their release status is as indicated:

- ☐ Discharge from the hospital
- ☐ Home Visit or Pre-Placement Visit from: \_\_\_\_\_ to \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_

Their expected place of residence is: \_\_\_\_\_

If you need to contact someone in the community for information about this person, we advise  
contacting: \_\_\_\_\_ Name \_\_\_\_\_, \_\_\_\_\_ Relationship \_\_\_\_\_,  
Address & Phone \_\_\_\_\_.

If you need more information from Montana State Hospital, please contact:

\_\_\_\_\_  
\_\_\_\_\_

cc: Health Information